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7 Attorney for CAPITAL FARMS, INC.,
8 Debtor in Possession

9 UNITED STATES BANKRUPTCY COURT

10 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

11 In re: Case No. 25-10074-A-12
12 CAPITAL FARMS, INC., Chapter 12
13 Debtor and Debtor-in-Possession. D.C. No. FW-5
14
15 Date: March 6, 2025
16 Time: 10:30 a.m.
17 Place: Dept. A, Courtroom 11, 5th Floor
United States Courthouse
2500 Tulare St., Fresno, California
Judge: Hon. Jennifer E. Niemann

18 **NOTICE OF DEBTOR'S MOTION FOR ORDER AUTHORIZING EMPLOYMENT
19 OF CHIEF RESTRUCTURING OFFICER PURSUANT TO 11 U.S.C. §363(b)**

20 NOTICE IS HEREBY GIVEN that on the above date and at the above time and place
21 Debtor-in-Possession ("Debtor") will move for an Order Authorizing Employment of Scott
22 Sackett as Chief Restructuring Officer Pursuant to 11 U.S.C. §363(b) (the "Motion"). Debtor
23 has stipulated with several secured lenders to employ Mr. Sackett, and the purpose of this
24 Motion is to obtain Court approval for that retention. Mr. Sackett has agreed to be compensated

1 on an hourly basis for his firm's work for the Debtor. Mr. Sackett's hourly rate is \$300 per
2 hour. His field agents have rates of \$175 per hour and administrative staff have rates of \$75
3 per hour. In addition, he has requested an allowance of up to \$2,500 per month for legal costs.
4 He has also requested a \$10,000.00 retainer. Debtor has provided for a \$10,000 retainer in
5 Debtor's most recent cash collateral budget.

6 Pursuant to Local Rule 9014-1(f)(2), opposition, if any, to the granting of the Motion
7 may be made at the hearing on the Motion. Failure to appear and oppose the Motion may be
8 deemed a waiver of opposition to the granting of the Motion.

9 To determine whether this matter has been resolved without oral argument or whether
10 the court has issued a tentative ruling, the pre-hearing disposition should be viewed at the
11 Court's website at www.caeb.uscourts.gov after 4:00 p.m. the day before the hearing; parties
12 appearing telephonically must view the pre-hearing dispositions prior to the hearing.

13 Date: February 24, 2025

FEAR WADDELL, P.C.

14 By: /s/ Peter L. Fear
15 PETER L. FEAR

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